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Serial No.: 09/350,518
Filed: July 9, 1999
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Sub
D4
A1
sample of said tumor or a body fluid, wherein a high level of expression correlates positively with disease-free or overall survival, wherein said cancer is breast cancer.

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D5
A2
18. (Amended) The method of claim 16, wherein said level of BAG expression is determined by measuring the level of mRNA [which encode] encoded by said BAG [protein] gene.

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A3
25. (Amended) A method for predicting the risk of tumor recurrence or spread in an individual having a cancer tumor, comprising determining whether BAG protein is produced in a sample of said tumor or body fluid from said individual, such a production correlating negatively with a likelihood of tumor recurrence or spread, wherein said cancer is breast cancer.

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A4
27. (Amended) A method for screening a cancer patient to determine the risk of tumor metastasis, said method comprising:
(a) determining the level of amplification or expression of the BAG gene in a cancerous tissue sample or a body fluid sample from said patient; and
(b) classifying a patient having high levels of amplification or expression of the BAG gene, relative to a reference level, as being less likely to suffer tumor metastasis or having a increased chance of survival, wherein said cancer is breast cancer.

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D7
34. (Amended) A method for determining the proper course of treatment for a patient suffering from cancer, said method comprising:

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(a) determining the level of BAG gene expression in a cancerous tissue sample or body fluid from said patient;

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(b) identifying a first group of patients having low levels of BAG gene expression, which first group of patients may require treatment proper for patients having a lesser chance of survival or decreased time to tumor recurrence or spread; and

(c) identifying a second group of patients having high levels of BAG gene expression, which second group of patients may require treatment proper for patients having a greater chance of survival and being less likely to suffer tumor recurrence or spread,

wherein said cancer is breast cancer.

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44. (Amended) The method of claim 43, wherein said first group has a lower likelihood of tumor recurrence or spread than said second group, and wherein said cancer is breast cancer.

REMARKS

By the present communication, claims 16, 18, 25, 27, 34 and 44 have been amended, and claims 17, 28 and 45 have been canceled to define Applicants' invention with greater particularity. No new matter is introduced by the subject amendments as all amended claim language is fully supported by the specification and original claims.